IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.38822 of 2008
SHAILENDRA SINGH @ KUMAR AVINASH SINGH KAUSHIK
Versus
STATE OF BIHAR
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3. 22.12.2008 Heard the learned Counsel for the petitioner and the learned counsel for the State.

The petitioner apprehends arrest in a Police case under Section 302 of the Penal Code.

The FIR is against unknown. His name has transpired on confession of co-accused. The co-accused has already been acquitted in Sessions Trial No. 3599 of 2008.

To this Court is would be travesty of justice to curtail the liberty of the petitioner in view of acquittal of the co-accused. The responsibility for the present order lies with the prosecution.

Having considered the facts and circumstances of the case, let the petitioner, above named, surrender in the court below within a period of four weeks from today when he shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Chapra in Bhagwan Bazar PS Case No. 48 of 2008, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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Snkumar/-

(Navin Sinha,J.)